

# Children (Equal Protection from Assault) (Scotland) Bill

## Page 2: About you

Are you responding as an individual or on behalf of an organisation?

an individual

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

Member of the public

Please select the category which best describes your organisation

*No Response*

Please choose one of the following; if you choose the first option, please provide your name or the name of your organisation as you wish it to be published.

I would like this response to be anonymous (the response may be published, but no name)

Please insert your name or the name of your organisation. If you choose the first option above, this should be the name as you wish it to be published. If you choose the second or third option, a name is still required, but it will not be published.

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number. We will not publish these details.

## Page 7: Your views on the proposal

Q1. Which of the following best expresses your view of the proposal of giving children equal protection from assault by prohibiting all physical punishment of children?

Fully opposed

Q1. Which of the following best expresses your view of the proposal of giving children equal protection from assault by prohibiting all physical punishment of children?

**Please explain the reasons for your response**

I believe this proposal is an unwarranted intrusion into the rights of parents to discipline their children in the way they deem appropriate. In the consultation proposal, John Finney cites some pieces of research that claim that physical punishment is harmful to a child's wellbeing. I believe this is simplistic and therefore that this law would criminalise responsible and loving parents and divert resources from children who are actually suffering abuse and neglect from their caregivers. If possible harm is to be the basis for intervening in a child's care then where does the implementation of legislation stop? There is far more evidence that the breakdown of a couple's relationship does great harm to a child's emotional wellbeing. Does this mean the next proposal from John Finney will be putting forward the idea that parents who decide they can no longer parent together are unfit to raise their children? Can "experts" not also clobber together evidence that shouting at children harms them, so therefore parents should be criminalised for shouting at their children? My personal testimony is that I was smacked by my own parents as a small child. I have never felt harmed or unloved by my parents in any way. I am grateful for the consistent, supportive upbringing that I received from them, part of this being disciplined appropriately. To say that all parents who smack should be criminalised is wrong and would be far more damaging to their children than the apparently conclusive evidence John Finney presents that smacking is always harmful to a child. I strongly believe that smacking is an important part of teaching a child their place in a family, as being under their parent's authority and therefore teaching them respect for authority throughout their lives. The Bible commands raising children in this way but always with a selfless love on the part of the parents but just because this country is losing its Christian principles with regards to appropriate discipline is no reason to criminalise good parents. John Finney further claims in his proposal that the plea of "justifiable assault" can undermine child protections already in law. He has not presented real cases of this and therefore I believe that statement to be wrong. Contrary to Mr Finney, I believe the justice courts operating in this country can already determine whether a child is being harmed in the circumstances they're in when evidence is presented to them.

Q2. Could the aims of the proposal be better delivered in another way (without a Bill in the Scottish Parliament)?

No

**Please explain the reasons for your response**

If the aim of the proposal is to criminalise any form of physical punishment then I do not believe we need any change to current law and therefore practice. Safeguards are already in place for children in this country, only the resources & delivery of these are called into question.

Q3. What do you think would be the main advantages, if any, of giving children equal protection from assault by prohibiting all physical punishment of children?

There is already provision in current law for children who are assaulted.

Q4. What do you think would be the main disadvantages, if any, of giving children equal protection from assault by prohibiting all physical punishment of children?

In principle, criminalising many parents who discipline their children with the use of light physical punishment.

In practice, a huge strain on resources to prosecute the above parents and whatever burdens this would have on our social care system.

The harm & damage these above realities would have on the children involved.

Q4. What do you think would be the main disadvantages, if any, of giving children equal protection from assault by prohibiting all physical punishment of children?

A loss of trust between parents and professionals overseeing a child's development, e.g. health visitors, teachers, etc.

## Page 11: Financial implications

Q5. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have?

Significant increase in cost

**Please explain the reasons for your response**

Social workers are already stretched to manage their current workloads. We have seen too many cases in this country, and the UK as a whole, of children suffering horrendous abuse, in their homes, which has not been properly dealt with by authorities. Criminalising 58% of the population is going to put an enormous strain on resources. This policy is not practically enforceable so therefore useless!

## Page 12: Equalities

Q6. What overall impact is the proposed Bill likely to have on the following protected groups (under the Equality Act 2010): race, disability, sex, gender re-assignment, age, religion and belief, sexual orientation, marriage and civil partnership, pregnancy and maternity?

Negative

**Please explain the reasons for your response**

This Bill will directly impact my belief that God has created people and therefore has given us directions on how to live our lives, which includes, how we raise our children. This Bill will also impact people during pregnancy and beginning parenthood, in making them feel vulnerable at an already challenging time.

Q7. Could any negative impact of the proposed Bill on any of these protected groups be minimised or avoided?

No, unless they are exempt from this law which would render it pointless.

## Page 14: Sustainability of the proposal

Q8. Do you consider that the proposed Bill can be delivered sustainably i.e. without having a disproportionate economic, social and/or environmental impact?

No

## Page 15: General

Q9. Do you have any other comments or suggestions on the proposal?

Stop invading people's rights to raise their children in a reasonable way and in accordance with their beliefs.